
**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Landmark/District: **Anacostia Historic District** (x) Agenda
Address: **2228 Martin Luther King Jr. Avenue, SE** () Consent

Meeting Date: **November 17, 2011** (x) Raze
Case Number: **11-527** () Addition
() Alteration
Staff Reviewer: **Tim Dennée** (x) Concept

The applicant and property owner, the District of Columbia Department of Housing and Community Development (DHCD), requests the Board's review of a permit to raze the two-story, frame house. The express purpose is to remove a building which is in a deteriorated condition and which the applicant considers to be a liability issue because of repeated trespass on the property.

Historical background

The home was probably erected prior to 1880, possibly by one of its early occupants, carpenter Isaac Beers. His widow remained there for a few years after his death. The property was sold to the Hartigan family—already residents of Anacostia—by the turn of the twentieth century, and the family appears to have rented it to a succession of craftsmen and professionals until 1906, when they moved in. The entire family was native to Ireland, and father Patrick was the foreman of a concrete works, superintending, among others, his sons William, an engineer, and Dennis, a laborer. They again rented out the property, before it was conveyed to their relatives, the O'Donnells, in a 1921 equity suit. Patrick O'Donnell painted and upholstered automobiles and carriages in a rear shed, apparently a competitor with next-door James A. Beall & Son (at the rear of 2234). O'Donnell and his wife, Eunice, had also emigrated from Ireland, in 1893. Their grown children included laborers, a telephone operator, and a printer's assistant. Son William served in the First Battalion, 110th Field Artillery in France during World War I. Daughter Mary remained the principal occupant until 1965, when she sold to the Warners and Howards, who flipped the property the following year to Lenard J. and Ann M. Kushner, proprietors of a liquor at the corner with Morris Road and the most recent owners. The property was rented to a couple of tenants before 1975, after which it appears to have remained vacant. It was purchased by DHCD in July 2010.

The house has remained remarkably intact over time; neither its appearance nor the relative lack of permitted alterations suggests much change. It is one of the more architecturally important of the residences in the historic district, and its location was a prime one—on the principal street with a hillside view over the river.

The home's more recent history is one of disgraceful neglect, used only for storage, if anything. In recent years, the property was the subject of proceedings under both the insanitary buildings law and the "demolition-by-neglect" provision of the preservation law. The immediate past owners applied for raze permits for this building and those at 2234 and 2238 Martin Luther King, Jr. Avenue. The Historic Preservation Review Board recommended against approval for the reasons that at least most of the buildings were salvageable—and that most of deterioration could be attributed to a prolonged lack of maintenance, the fault of the owner. Deterioration of the roof at this home, in particular, has opened the building to a great deal of water that has heavily damaged the wood framing, eaten away at the mortar of the foundation, and encouraged termite activity. With the purchase of the property, DHCD has stepped in to arrest the deterioration of this row of buildings and to see to their redevelopment.

Evaluation

Based on the staff's familiarity with the building, the structural engineer's report seems credible. It was already understood that the remainder of the front porch and the literally collapsing rear wing would have to be removed even as part of the stabilization. The conclusion that most of the other framing is too deteriorated to retain is, of course, very troubling, but not necessarily unexpected under the circumstances.¹ The building has been open for years, and the collapse of some framing and the leaning of other parts from rot, termite damage and failure in the foundation and sills, are apparent. On the one hand, the building has retained much integrity for its retention of original features and fabric. On the other, these features and fabric are quite decayed and many need to be removed.

To "save" the building, one could certainly replace or reconstruct it, either wholesale, after demolition, or piece by piece at a greater cost. But if most of the building *needs* to be replaced, then it has already lost much of its integrity of materials, workmanship, and even design. Although a facsimile of the building would help retain the character of the block, it is a less than satisfying resolution for any party, as the owner is then constrained by a structure of the form and plan of the original, and the community does not thereafter enjoy the authentic resource. Further, the requirement of the replacement of a building that has already been essentially demolished by neglect is a remedy only appropriately applied to the owner who allowed it to reach that state, just as the owner of a property actively razed without permit can be required to rebuild it.

Piece-by-piece rebuilding also raises the practical matter of how it would be performed, given the present fragility of the building. Obviously, new walls would have to be built within and without to support it, but one must have sound structure to nail these to, and there are understandable fears that the building could be dangerous to workmen, as well as to those who have been known to break into the property.

Extreme measures are frequently justified to save a property of such significance, but the Board has to examine the merits of each case individually and carefully to decide whether it can truly

¹ The report estimates that 20 percent of the foundation (as well as all of the porch piers) has to be completely rebuilt, while the remainder has to be completely repointed and waterproofed. It goes on to say that 70 percent of the sills are shot as are 60 percent of the studs above them (which are full-height in a balloon-framed house), 38 percent of the first-floor framing; 45 percent of the second-floor framing; 75 percent of the roof framing and 75 percent of the interior walls.

be saved, or merely recreated. In the present case, it appears that the building's integrity is sufficiently diminished to consider it no longer contributing to the character of the historic district. It is advisable to shift finite resources to the stabilization of the adjacent buildings² as well as to consider how all of the lots may collectively be redeveloped to best preserve the setting, character and rehabilitation needs of the remaining buildings.

The staff recommends that the Board approve the raze permit.

² The Historic Preservation Office recently cleared a permit application for structural stabilization of 2234 Martin Luther King.